

In the Matter of:

Holder of a Retailer's Class CR License
at premises
1606 20th Street, N.W.
Washington, D.C. 20009

BEFORE:

§ 25-823(2), for which the Board may take the proposed action pursuant to D.C. Official Code § 25-823(1) (2001).

Charge III: The Licensee failed to obtain an Entertainment Endorsement from the Board, in violation of the D.C. Official Code § 25-113a (1) and 23 DCMR 1000, for which the Board may take the proposed action pursuant to D.C. Official Code § 25-823(1) (2001).

Charge IV: The Licensee made a substantial change in operation without the approval of the Board, in violation of the D.C. Official Code § 25-762(b)(8), for which the Board may take the proposed action pursuant to D.C. Official Code § 25-823(1) (2001).

Charge V: The Licensee failed to post a license to sell or permit the consumption of alcoholic beverages in a conspicuous location in the licensed establishment, in violation of the D.C. Official Code § 25-711(a), for which the Board may take the proposed action pursuant to D.C. Official Code § 25-823(1) (2001).

The Board notes for the record that the Government and the Respondent have stipulated to the facts supporting Charges III, IV and V.

The Board held a Show Cause Status Hearing on May 25, 2011. There was no settlement of the matter and it proceeded to a Show Cause Hearing on June 29, 2011. The Board having considered the evidence, the testimony of the witnesses, the arguments of parties, and the documents comprising the Board's official file, makes the following:

FINDINGS OF FACT

1. The Board issued a Notice of Status Hearing and Show Cause Hearing, dated April 20, 2011, to the Respondent on April 28, 2011. *See* Alcoholic Beverage Regulation Administration (ABRA) Show Cause File No. 11-251-00001. The Respondent holds a Retailer's Class CR license and is located at 1606 20th Street, N.W., Washington, D.C. *See* ABRA Licensing File No. ABRA-83468.

2. The Show Cause Hearing was held on June 29, 2011. The Notice charges the Respondent with the five violations enumerated above. *See* ABRA Show Cause File No. 11-251-00001.

3. The parties agreed to stipulate to the following facts:

(A) The Respondent did not have an approved Entertainment Endorsement.

(B) The Respondent was utilizing the services of a DJ on the night of the incident.

(C) The Respondent applied for an Entertainment Endorsement and the ABC Board required that notice of the Application be placarded.

(D) The Respondent was the subject of a Public Hearing concerning its Application for a Substantial Change to permit entertainment in the form of dancing and a DJ.

(E) The Respondent failed to post its liquor license in a conspicuous place.

Transcript (Tr.), June 29, 2011 at 4-5; ABRA Show Cause File No. 10-251-00001.

4. The Government called its first witness, Craig Stewart. *Tr.*, 6/29/11 at 16. Mr. Stewart is a Supervisory Investigator with ABRA. *Tr.*, 6/29/11 at 17. Supervisory Investigator Stewart is a former Maryland police officer and a former deputized USDA Enforcement Officer. *Tr.*, 6/29/11 at 25. In these capacities, Supervisory Investigator Stewart learned to observe the signs and symptoms of intoxication of various substances. *Tr.*, 6/29/11 at 25.

5. On New Year's Eve 2011, he was tasked with performing cursory inspections at licensed establishments to ensure that the licensees were not overcrowded or operating beyond their Board approved hours. *Tr.*, 6/29/11 at 17. He testified that he was not at the Respondent's establishment originally to conduct a full inspection. *Tr.*, 6/29/11 at 45. The inspection resulted when Supervisory Investigator Stewart determined that the Respondent was offering entertainment without Board approval. *Tr.*, 6/29/11 at 45.

6. Supervisory Investigator Stewart explained that he entered the establishment on January 1, 2011 at 3:00 a.m, and he was present for 15 to 20 minutes. *Tr.*, 6/29/11 at 20, 35. He identified himself and first spoke to Mr. Zenabra, who was standing next to a bartender directly behind the cash register in an opening to the bar. *Tr.*, 6/29/11 at 20-21, 41-42, 44. Mr. Zenabra represented to Supervisory Investigator Stewart that he worked at the establishment and was a manager. *Tr.*, 6/29/11 at 21, 36, 41. Supervisory Investigator Stewart inquired as to whether Mr. Zenabra was an ABC-licensed manager and Mr. Zenabra said no. *Tr.*, 6/29/11 at 21, 44. Supervisory Investigator Stewart testified that he later learned that Mr. Zenabra was not an employee of the Respondent's. *Tr.*, 6/29/11 at 21-23. Supervisory Investigator Stewart stated that Mr. Zenabra was present throughout the incident and the investigation. *Tr.*, 6/29/11 at 23, 48.

7. Supervisory Investigator Stewart then met Mr. Zeldin, one of the owners of the establishment. *Tr.*, 6/29/11 at 24. Supervisory Investigator Stewart advised Mr. Zeldin of the alleged violations and witnessed Mr. Zeldin's demeanor change. *Tr.*, 6/29/11 at 24, 48. He stated that as Mr. Zeldin got closer, Supervisory Investigator Stewart could smell alcohol on his breath. *Tr.*, 6/29/11 at 24, 50. Supervisory Investigator Stewart testified that as the incident escalated, he noticed Mr. Zeldin's pinpointed pupils and Mr. Zeldin became more aggressive. *Tr.*, 6/29/11 at 25, 52. It was for these reasons that Supervisory Investigator Stewart thought Mr. Zeldin was under the influence of a substance. *Tr.*, 6/29/11 at 25-2652.

8. Supervisory Investigator Stewart testified that he was startled when Mr. Zenabra pushed him to the side after he requested to speak to the owner. *Tr.*, 6/29/11 at 26. Mr. Zenabra retrieved Mr. Zeldin. *Tr.*, 6/29/11 at 26, 46. Supervisory Investigator Stewart requested to see the ABC license and Mr. Zenabra retrieved several picture frames from a bookshelf located behind the investigator. *Tr.*, 6/29/11 at 46. Mr. Zeldin then shuffled

through the picture frames to hand the ABC license to Supervisory Investigator Stewart. *Tr.*, 6/29/11 at 47. After Investigator Stewart reviewed the license, he concluded that the Respondent was in violation of the laws and regulations that govern ABC-licensed establishments. *Tr.*, 6/29/11 at 47. Supervisory Investigator Stewart informed Mr. Zeldin that the establishment was not authorized to have a DJ because there was no entertainment endorsement on the license. *Tr.*, 6/29/11 at 49. Supervisory Investigator Stewart also informed him that the ABC license needed to be posted. *Tr.*, 6/29/11 at 50.

9. When Supervisory Investigator Stewart informed Mr. Zeldin of the alleged violations, Mr. Zeldin grabbed Supervisory Investigator Stewart under the arm, lifted him up slightly and suggested they go to the kitchen. *Tr.*, 6/29/11 at 26, 50. On their way to the kitchen, Mr. Zenabra kept his hand on Supervisory Investigator Stewart's back as he was guiding him through the kitchen. *Tr.*, 6/29/11 at 27. Supervisory Investigator Stewart did not believe he was free to leave. *Tr.*, 6/29/11 at 27.

10. Supervisory Investigator Stewart testified that when he was asked for his business card and his credentials, he informed Mr. Zeldin and Mr. Zenabra that he was conducting an inspection and that the Board would be contacting them regarding the alleged violations. *Tr.*, 6/29/11 at 27, 54. Supervisory Investigator Stewart said at this point, Mr. Zenabra impeded his path and Mr. Zeldin told him he was not leaving. *Tr.*, 6/29/11 at 27, 57. Supervisory Investigator Stewart stated that he was also pushed by Mr. Zeldin. *Tr.*, 6/29/11 at 28, 54.

11. Supervisory Investigator Stewart also believed he was being offered a bribe. *Tr.*, 6/29/11 at 30. Investigator Stewart stated that he arrived at that conclusion because Mr. Zeldin pulled him close and asked how they could take care of the matter and that no one else needed to be involved. *Tr.*, 6/29/11 at 30, 53. Supervisory Investigator Stewart stated that he then called 911, because he could sense that the incident was escalating and that it might result in a physical altercation. *Tr.*, 6/29/11 at 30-31, 55-56. When Supervisory Investigator Stewart rejected what he assumed was a bribe offer, Mr. Zeldin became enraged and started screaming. *Tr.*, 6/29/11 at 56. He said that Mr. Zeldin was being restrained by other employees when another owner appeared in the kitchen. *Tr.*, 6/29/11 at 31, 56-57.

12. Supervisory Investigator Stewart testified that the only cooperation he received from the Respondent was when Mr. Zenabra retrieved the ABC license. *Tr.*, 6/29/11 at 32. Otherwise, Supervisory Investigator Stewart stated that the Respondent interfered with the investigation by detaining him and providing false information such as Mr. Zenabra's role in the establishment. *Tr.*, 6/29/11 at 33, 35. Additionally, Investigator Stewart stated that he was not permitted to discuss the alleged violations with the owner, as is his customary practice. *Tr.*, 6/29/11 at 34.

13. Supervisory Investigator Stewart acknowledged that one of the owners attempted to contact him after the incident, but he did not have occasion to speak to the owners after the night of the incident. *Tr.*, 6/29/11 at 37-38.

14. Nicholas Papademetriou testified on behalf of the Respondent. *Tr.*, 6/29/11 at 59. Mr. Papademetriou testified that he is a managing member and owner of the business, and he serves as the Director of Business Operations. *Tr.*, 6/29/11 at 60. He owns 32% of the

business. *Tr.*, 6/29/11 at 60, 84. He stated that the other owners are William McClelland who owns 32%; Filipp Zeldin who owns 32%; and Daniel Kramer, who owns four percent (4%). *Tr.*, 6/29/11 at 61, 84-85. At the time of the Show Cause Hearing, the partners were in discussions to buy out Mr. Zeldin's shares of ownership, because they were opposed to Mr. Zeldin's handling of the incident. *Tr.*, 6/29/11 at 61, 76-77, 86.

15. Mr. Papademetriou testified that the Respondent opened its doors on December 7, 2009. *Tr.*, 6/29/11 at 61. The establishment is located in Dupont Circle and is an international lounge that caters to a 25 to 50-year-old international crowd who work at embassies in the neighborhood. *Tr.*, 6/29/11 at 62. Mr. Papademetriou stated that he left the establishment that night at 1:30 a.m., and was not there when the incident occurred. *Tr.*, 6/29/11 at 62, 95, 101, 107-108. He was made aware of the incident when he received a call from his partner, Daniel Kramer. *Tr.*, 6/29/11 at 63, 79. He does not dispute that Mr. Zeldin's behavior toward Supervisory Investigator Stewart and the handling of the incident was inappropriate. *Tr.*, 6/29/11 at 128-129. He does not challenge the veracity of Supervisory Investigator Stewart's testimony. *Tr.*, 6/29/11 at 129-130.

16. Mr. Papademetriou stated that he attempted to contact Supervisory Investigator Stewart the following Monday morning. *Tr.*, 6/29/11 at 64. He left a voicemail on Supervisory Investigator Stewart's desk phone and cell phone, but he did not hear from Supervisory Investigator Stewart. *Tr.*, 6/29/11 at 65. He stated that he did not have a good understanding of the incident, and he wanted to talk to Supervisory Investigator Stewart to apologize and clarify what happened. *Tr.*, 6/29/11 at 109-110.

17. Mr. Papademetriou testified that Mr. Zeldin was suspended immediately without pay for two weeks following the incident, and he was barred from the premises for two weeks. *Tr.*, 6/29/11 at 65, 139-140, 148. Mr. Papademetriou testified that he learned the circumstances of the incident were more serious than originally told to him by his partner, Mr. Kramer, after he read ABRA's investigative report. *Tr.*, 6/29/11 at 66. He also stated that he attended the Board's Fact Finding Hearing and learned even more details about the incident. *Tr.*, 6/29/11 at 66-67.

18. Mr. Papademetriou described the steps the Respondent took following the Fact Finding Hearing. *Tr.*, 6/29/11 at 67. Mr. Zeldin was suspended from all managerial control, ranging from handling the staff and serving as liaison to ABRA, MPD and customers who want to reserve the venue for parties and functions. *Tr.*, 6/29/11 at 67-68, 113-114. Mr. Zeldin's duty hours were reduced from seven days a week to two days a week, and he was only permitted to work as a bartender. *Tr.*, 6/29/11 at 67, 115. The Respondent also hired an additional manager who received an ABC Manager's License. *Tr.*, 6/29/11 at 68. Additionally, the three remaining partners redesigned the nature of the business regarding to their respective responsibilities so that one of them would be at the establishment at all times the establishment is open for business. *Tr.*, 6/29/11 at 68.

19. Mr. Papademetriou stated that they also took steps to ensure that ABRA, MPD, and their customers were treated properly by consulting with other licensed establishments, developing a plan to educate staff, and improve the safe and proper way to manage the nightlife business. *Tr.*, 6/29/11 at 68-69. This plan included having Mr. Kramer and other staff attend a security training course. *Tr.*, 6/29/11 at 69-70.

20. Mr. Papademetriou testified that the management made it clear to staff the day after the incident that drinking during work would not be tolerated and would serve as grounds for termination for any employee, to include management. *Tr.*, 6/29/11 at 70.
21. Mr. Papademetriou confirmed that Mr. Zenabra was never an employee of the Respondent, nor is he permitted in the establishment anymore. *Tr.*, 6/29/11 at 71, 96. He does not know why Mr. Zenabra represented himself as a manager to Supervisory Investigator Stewart. *Tr.*, 6/29/11 at 98. He believes that the only way in which Mr. Zenabra would know where the license is located in order to hand it to Supervisory Investigator Stewart is because Mr. Zeldin pointed to it. *Tr.*, 6/29/11 at 100-101.
22. He testified that Mr. Zeldin is also no longer an employee and that following the Show Cause Status Hearing on May 25, 2011, the remaining partners decided to terminate him permanently. *Tr.*, 6/29/11 at 72, 74, 91, 112-113. This decision was made when the business partners received additional information regarding the incident. *Tr.*, 6/29/11 at 72-73.
23. Mr. Papademetriou testified that during the three months preceding the hearing, he and the other partners were in negotiations to buy Mr. Zeldin out of the business. *Tr.*, 6/29/11 at 74-75. He stated that they executed a Memorandum of Understanding (MOU), dated June 27, 2011, that outlines the repurchase of Mr. Zeldin's shares and removes him from ownership. *Tr.*, 6/29/11 at 76-77, 85; Respondent's Exhibit No. 1.
24. Mr. Papademetriou explained that it has taken the partners some time to negotiate the MOU and to develop a new operating agreement that excludes Mr. Zeldin from the business. *Tr.*, 6/29/11 at 87. He further explained that negotiations were complicated by the fact that Mr. Zeldin could not be forced out of the business, so it took more time to settle on terms agreeable to all parties and to find new investors. *Tr.*, 6/29/11 at 88-89, 92-93, 116-119. Mr. Papademetriou testified that Mr. Zeldin was in agreement with the MOU and the terms of the buy-out offer. *Tr.*, 6/29/11 at 89-90. He also stated that buy-out funds were secured from family and friends. *Tr.*, 6/29/11 at 93-94.
25. Mr. Papademetriou maintains employee records and knows who is working each night the establishment is open. *Tr.*, 6/29/11 at 102, 120-121. He stated that prior to the incident, Mr. Zeldin handled staffing for any given night. *Tr.*, 6/29/11 at 103-104. Mr. Papademetriou does not know why Mr. Zeldin was permitted to stand at or behind the bar. *Tr.*, 6/29/11 at 97-98. He stated that staff is now trained to prohibit patrons behind the bar. *Tr.*, 6/29/11 at 106.
26. Mr. Papademetriou testified that security personnel ensure that patrons are of legal drinking age, they are not inebriated when they enter the establishment, and aid is rendered when necessary. *Tr.*, 6/29/11 at 107. There was one security person at the door on the night of the incident. *Tr.*, 6/29/11 at 132-133. The security person is responsible for staying at the door unless an incident inside the establishment requires his assistance. *Tr.*, 6/29/11 at 135.
27. Mr. Papademetriou stated that he has seen Mr. Zeldin drink at the establishment but not while on duty. *Tr.*, 6/29/11 at 111. He also has never known Mr. Zeldin to use illegal

drugs. *Tr.*, 6/29/11 at 112. He testified that the establishment's policy prohibits staff from drinking while on duty. *Tr.*, 6/29/11 at 112.

28. Mr. Papademetriou stated that he has learned a lot from the incident, including that operating a restaurant is much more difficult than originally expected and that he must anticipate different security and public safety scenarios before they happen. *Tr.*, 6/29/11 at 123, 126-127. He also now understands that friendship does not necessarily make for good business partners. *Tr.*, 6/29/11 at 123. He stated that all of these lessons have been reduced to writing so that the staff can be trained on the policies. *Tr.*, 6/29/11 at 124. Mr. Papademetriou further testified that he and Mr. McClelland now run the business and have become well versed on the requirements to run the restaurant within the bounds of the laws and regulations. *Tr.*, 6/29/11 at 131.

CONCLUSIONS OF LAW

29. The Board has the authority to suspend or revoke the license of a licensee who violates any provision(s) of Title 25 of the D.C. Official Code pursuant to D.C. Official Code § 25-823(1) (2001). Additionally, pursuant to the specific statutes under which the Respondent was charged, the Board is authorized to levy fines. D.C. Official Code § 25-830 and 23 DCMR § 800, *et seq.*

30. In order to hold a Licensee liable for a violation of the ABC laws, the Government must show that there is substantial evidence to support the charge. Substantial evidence is defined as evidence that a "reasonable mind[] might accept as adequate to support the conclusion" and there must be a "rational connection between facts found and the choice made." 2461 Corp. v. D.C. Alcoholic Bev. Control Bd., 950 A.2d 50, 52-53 (D.C. 2008). The Board also notes that an administrative agency's determination of credibility is entitled to "special deference." Gross v. D.C. Dep't of Employment Services, 826 A.2d 393, 395 (D.C. 2003); NGOM v. D.C. Dep't of Employment Services, 913 A.2d 1266, 1269 (D.C. 2006).

31. With regard to Charge I, the question presented to the Board is whether the Respondent failed or refused to allow an ABRA investigator to enter or inspect without delay the licensed premises, or otherwise interfered with an investigation pursuant to D.C. Official Code § 25-823(5). The Board answers this question in the affirmative. The Board finds that the Government has proven through substantial evidence that an employee of the establishment delayed and interfered with an ABRA Investigator's efforts to carry out his responsibilities as a government official.

32. Specifically, the Board finds the Respondent in violation of § 25-823(5) based on the very credible testimony of Supervisory Investigator Stewart. Supervisory Investigator Stewart testified that his efforts to conduct an ABRA inspection were thwarted by two different persons at the establishment on the night of the incident. He was impeded by Mr. Zenabra, who misled Supervisory Investigator Stewart by providing false information, and he was impeded by Mr. Zeldin who physically pushed him and told him that he would not be leaving the establishment. The Respondent believes that its employee's conduct was inappropriate and does not refute Supervisory Investigator Stewart's version of events.

33. Moreover, it is clear to the Board that but for the unlawful conduct of the Respondent's employee, the matter would not have escalated to an incident, but instead would have been handled as a routine inspection. Supervisory Investigator Stewart's testimony demonstrates that when he alerted the Respondent to the violations, the inspection was delayed, and even more alarming to the Board, Supervisory Investigator Stewart was pushed and detained. Based on these facts, the Board finds that the Respondent, through its employee, did not allow Supervisory Investigator Stewart to inspect the establishment's premises or conduct his investigation without delay or impediment.

34. Based on our finding that the establishment violated § 25-823(5), the Respondent shall pay a fine in the amount of \$2,000.00 and shall receive a suspension of its license for eight (8) days; five (5) days of the suspension to be served, and three (3) days to be stayed for one year absent further violations. The Board finds that this penalty is justified based on the seriousness of the offenses committed by the Respondent.

35. With regard to Charge II, the question presented to the Board is whether the Respondent allowed the licensed establishment to be used for an unlawful or disorderly purpose, pursuant to D.C. Official Code § 25-823(2). Notwithstanding the despicable manner in which a rogue employee treated Supervisory Investigator Stewart, the Board finds that there is insufficient evidence to establish that the Respondent allowed the licensed establishment to be used for an unlawful or disorderly purpose.

36. Based on the Board's finding that the establishment did not violate D.C. Official Code § 25-823(2), the Board dismisses Charge II.

37. With regard to Charge III, the Board must determine whether the Respondent failed to obtain an Entertainment Endorsement from the Board. Inasmuch as the Respondent has stipulated to the facts regarding this Charge, the Board finds that the Respondent did fail to obtain an Entertainment Endorsement from the Board, in violation of D.C. Official Code § 25-113 (a) (1) and 23 DCMR 1000. As a result of this violation, the Board is assessing a \$500.00 fine and a one (1) day suspension, stayed for one year absent further violations.

38. With regard to Charge IV, the Board finds that the allegation that the Respondent made a substantial change in operation without the Board's approval is duplicative of Charge III, where the Board found that the Respondent offered entertainment without Board approval. Having found the Respondent guilty of Charge III, the Board will not find the Respondent guilty a second time, for what appears to be the same underlying offense. Therefore, the Board dismisses Charge IV.

39. With regard to Charge V, the Board must determine whether the Respondent failed to post a license to sell or permit the consumption of alcoholic beverages in a conspicuous location in the licensed establishment. Inasmuch as the Respondent has stipulated to the facts regarding this Charge, the Board finds that the Respondent did fail to post a license to sell or permit the consumption of alcoholic beverages in a conspicuous location in the licensed establishment in violation of D.C. Official Code § 25-711 (a). As a result of this violation, the Board is assessing a \$500.00 fine and a one (1) day suspension, stayed for one year absent further violations.

40. Finally, the Board is extremely disturbed and offended by the behavior of the Respondent towards Supervisory Investigator Stewart. After being informed by Supervisory Investigator Stewart of the various violations, the Respondent became enraged and screamed at him. Additionally, the Respondent asked Supervisory Investigator Stewart "how they could take care of the matter", suggesting that the matter be handled outside the Board's adjudication processes. While the Board commends the Respondent for taking remedial steps to improve its management and operations, the Board takes this type of behavior very seriously and warns the Respondent to not only comply with ABC laws and regulations, but to cooperate with ABRA investigators and MPD in its future interactions with them.

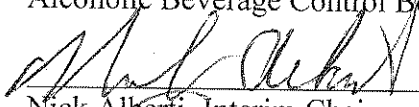
ORDER

Based on the foregoing findings of fact and conclusions of law, it is hereby **ORDERED** on this 5th day of October, 2011, that:

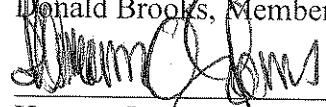
1. For Charge I, failure or refusal to allow an ABRA Investigator to enter or inspect without delay, the licensed premises or otherwise interfered with an investigation, the Respondent shall pay a fine in the amount of \$2,000.00. The Respondent shall also receive a suspension of its license for eight (8) days; five (5) served and three (3) days stayed for one year absent further violations.
2. For Charge II, allowing the licensed establishment to be used for an unlawful or disorderly purpose, should be and is hereby **DISMISSED**.
3. For Charge III, failure to obtain an Entertainment Endorsement from the Board, the Respondent shall pay a fine in the amount of \$500.00. The Respondent shall also receive a suspension of its license for one (1) day; the one day to be stayed for one year absent further violations.
4. For Charge IV, making a substantial change to the operations without the approval of the Board, should be and is hereby **DISMISSED**.
5. For Charge V, failure to post a license to sell or permit the consumption of alcoholic beverages in a conspicuous location in the licensed establishment, the Respondent shall pay a fine in the amount of \$500.00. The Respondent shall also receive a suspension of its license for one (1) day; the one day to be stayed for one year absent further violations.
6. In total, the Respondent shall pay civil penalties in the amount of \$3,000.00 within thirty (30) days from date of this Order. Failure to remit the amount in full within the time specified may result in the imposition of additional sanctions. Additionally, the Respondent shall incur a suspension of its license for ten (10) days with five (5) days to be served and five (5) days to be stayed for one year absent further violations. The suspension days shall be served on October 17, 2011 through October 21, 2011.

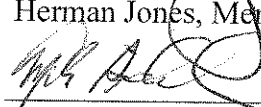
Copies of this Order shall be sent to the Respondent and the Government.

District of Columbia
Alcoholic Beverage Control Board


Nick Alberti, Interim Chairperson


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001.

However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. *See* D.C. App Rule 15 (b) (2004).